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Date: November 2, 2004 Must Be Sent By:

To: Examiner: Wang, Ted M. Fax No: (703) 872-9306  
Art Unit: 2634

Company: U.S. Patent & Trademark Office Phone No:

From: Mark J. Danielson Phone No: (650) 233-4777

User No: 13068 C/M No: 073169-0269527

Re: U.S. Serial No. 09/833,749  
Filing Date: April 11, 2001  
First Named Inventor: William McFarland et al.

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60370065V1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
William McFarland et al.

Serial No.: 09/833,749  
Filed: April 11, 2001

For: Method and Apparatus for Maximizing  
Receiver Performance Utilizing Mid-  
Packet Gain Changes

Confirmation No. 2909

Examiner: Wang, Ted M.  
Art Unit: 2634

Atty. Docket No. 073169-0269527  
ATH-035

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**RESPONSE**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the office action mailed August 6, 2004, for which a response is due November 8, 2004 (November 6, 2004 falls on a Saturday). The Commissioner is authorized to charge any required fee to Pillsbury Winthrop LLP's deposit account no. 50-2213 (order no. 010942-0269227).

Please address future correspondence to customer no. 27,498.

In response to the office action, please enter the following:

**Amendments to the claims** are reflected in the listing of claims beginning at page 2.

**Remarks** begin at page 16.

William McFarland et al.  
09/833,749  
60373690v1

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Amendment  
073169-0269527 / ATH-035